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**UNITED STATES DEPARTMENT OF COMMERCE**  
**Patent and Trademark Office**

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EXAMINER	
SHEIN, M	
ART UNIT	PAPER NUMBER
335	14

DATE MAILED:

04/24/85

Below is a communication from the EXAMINER in charge of this application.

COMMISSIONER OF PATENTS, AND TRADEMARKS

**ADVISORY ACTION**

☐ THE PERIOD FOR RESPONSE <sup>continues</sup> ~~IS EXTENDED~~ TO RUN 5 MONTHS FROM THE DATE OF THE FINAL REJECTION.  
855 O.G. 1109.

☐ Appellant's Brief is due in accordance with Rule 192 (a).

Applicant's response to the final rejection, filed \_\_\_\_\_, has been considered with the following effect, but it is not deemed to place the application in condition for allowance:

1. ☐ The proposed amendments to the claim and/or specification will not be entered and the final rejection stands because:
- a. ☐ There is no convincing showing under Rule 116(b).
  - b. ☐ They raise new issues that would require further consideration and/or search.
  - c. ☐ They raise the issue of new matter.
  - d. ☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal.
  - e. ☐ They present additional claims without cancelling a corresponding number of finally rejected claims.
2. ☐ Newly proposed or amended claims \_\_\_\_\_ would be allowed if submitted in a separately filed amendment cancelling the non-allowable claims.
3. ☒ Upon the filing of an appeal, the proposed amendment ☒ will be ☐ will not be, entered and the status of the claims in this application would be as follows:
- a. ☒ Claims 15-18 would be allowable.
  - b. ☒ Claims 10-14 would not be allowable.

However:

- (1) ☐ The rejection of claims \_\_\_\_\_ on references is deemed to be overcome by applicant's response.
- (2) ☐ The rejection of claims \_\_\_\_\_ on non-reference grounds only is deemed to be overcome by applicant's response.

4. ☐ The affidavit, exhibit or request for reconsideration has been entered but does not overcome the rejection.
5. ☐ The affidavit or exhibit will not be admitted because applicant has not shown good and sufficient reasons why it was not earlier presented.
6. ☐ The application having been examined under the special accelerated examining procedure (M.P.E.P. 708.02), the proposed amendment has not been considered since it does not prima facie place the application in condition for allowance or in better condition for appeal.

*William E. Kamm*  
WILLIAM E. KAMM  
PRIMARY EXAMINER  
ART UNIT 335

23 Apr 85